



Congress of the United States
House of Representatives
Washington, DC 20515

October 14, 2009

The Honorable Kathleen Sebelius
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Sebelius:

The purpose of this letter is to express our very serious concerns regarding severe Medicare reimbursement cuts for cancer care services pursuant to the 2010 Physician Fee Schedule proposed rule. Payment cuts made to treatment and diagnostic services will have a devastating impact on community cancer clinics, which treat 4 out of 5 Americans with cancer. For example, reimbursement for the administration of life-saving cancer drugs will be cut by over 20%, and possibly by up to 38%. This calls into question the ongoing ability of clinics to treat Medicare seniors.

The basis for the cuts to drug administration is a survey indicating that the cost of treating cancer has actually declined substantially. This is illogical and is not indicated by data produced by cancer clinics across the country. The faulty conclusions of the survey are understandable considering how few community oncologists provided results, which was the case because the oncologists voiced objections about the ability of the survey to accurately portray the costs of delivering cancer care. Finally, it is disconcerting that the Centers for Medicare & Medicaid Services (CMS) has not provided access to the survey data — there is no transparency to a process that will impact Medicare seniors with cancer.

We are also concerned with cuts that will result from the elimination of the consultation payment codes, which oncologists depend on, as well as reductions to reimbursement for diagnostic imaging and radiation treatment. It appears that there is scant data supporting these CMS decisions.

Our understanding is that practice administrators representing community cancer clinics from around the country just recently met with representatives from your office and CMS. Included were congressional staff from several House offices. At this meeting, the practice administrators presented data from their clinics on the cost of delivering cancer care, as well as the impact on patient care and access to treatment if these Medicare cuts go into effect as proposed on January 1, 2010.

The United States has the best cancer care delivery system in the world, as documented by actual survival rates. Yet, with all our success, cancer is still the second leading cause of death — on average, an American dies each minute due to cancer. Because there is so much at stake, we

please ask you to forestall making any Medicare reimbursement cuts to cancer care. As communicated at the recent meeting with CMS, community oncology has pledged to work with CMS in supplying accurate data in a transparent process. We look forward to working with you on this critical issue in order to further strengthen, not weaken, the country's cancer care delivery system.

Sincerely,


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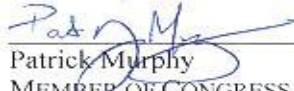
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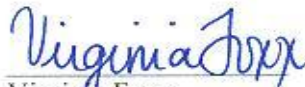
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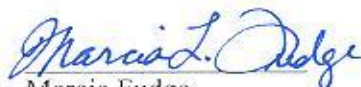
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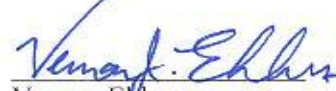
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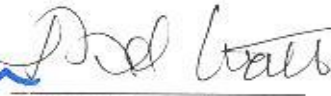
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